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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 TERRY TAYLOR,

11 Petitioner,

12 v.

13 BRENDA CASH, Warden,

14 Respondent.
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) Case No. CV 10-1409 JAK (JCG)

) **ORDER ADOPTING REPORT AND**
) **RECOMMENDATION OF UNITED**
) **STATES MAGISTRATE JUDGE AND**
) **DENYING CERTIFICATE OF**
) **APPEALABILITY**

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the
18 Magistrate Judge's Report and Recommendation, Petitioner's Objections to the
19 Report and Recommendation, and the remaining record, and has made a *de novo*
20 determination.

21 Petitioner's Objections regurgitate the arguments made in the Petition and
22 Traverse, and lack merit for the reasons set forth in the Report and
23 Recommendation.

24 Accordingly, IT IS ORDERED THAT: (1) the Report and Recommendation
25 is approved and adopted; (2) Judgment be entered denying the Petition and
26 dismissing this action with prejudice; and (3) the Clerk serve copies of this Order
27 and the Judgment on the parties.
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1 Additionally, for the reasons stated in the Report and Recommendation, the
2 Court finds that Petitioner has not made a substantial showing of the denial of a
3 constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v.*
4 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate
5 of appealability.

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8 DATED: June 22, 2011



HON. JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE